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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RAND PUBLISHING COMPANY INC.,

Plaintiff,

-against-

VENTURETEK, L.P., RICHARD ELKIN,  
ANTOINE BERNHEIM, STACY BERNHEIM  
and GENSTAR, LTD.,

Defendants.

**NOTICE OF MOTION OF  
DEFENDANT VENTURETEK, L.P.  
TO DISMISS THE COMPLAINT**

07 CIV 9596 (VM)(RLE)

**PLEASE TAKE NOTICE** that defendant Venturetek, L.P., by its undersigned attorneys, will move before this Court, in the Courthouse located at 500 Pearl Street, Room 20B, New York, New York 10017, for an order, pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(3) and 17(b), dismissing Plaintiff's Complaint, and for such other and further relief as the Court may deem appropriate. This motion is based upon this Notice of Motion to Dismiss the Complaint, the supporting Memorandum of Law, the Declaration of Ruth C. Haber dated December 12, 2007 and the accompanying exhibits, all pleadings and papers on file in this

action, and upon such other matters as may be presented to the Court at the time of any hearing on the motion. Venturetek L.P also joins in the motion of Defendants Richard Elkin, Antoine Bernheim, Stacy Bernheim and Genstar, Ltd. for an order dismissing Plaintiff's Complaint.

Dated: New York, New York  
December 12, 2007

MOSES & SINGER LLP

By: /s/ Ruth C. Haber  
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